

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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5 MARTHA BERNDT, et al.,
6 Plaintiffs,
7 v.
8 CALIFORNIA DEPARTMENT OF
9 CORRECTIONS, et al.,
10 Defendants.

NO. C03-3174 TEH

ORDER REQUIRING FURTHER
JOINT STATUS STATEMENT BY
JULY 27, 2009

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12 The Court is in receipt of the parties' June 8, 2009 joint statement concerning
13 discovery and the briefing schedule for Plaintiffs' motion for class certification. This is the
14 fifth such joint statement filed by the parties since Plaintiffs filed their motion on
15 November 17, 2008. The Court does not find it appropriate to set a briefing schedule while
16 the parties continue to have such divergent views on discovery. All discovery matters have
17 been referred to Magistrate Judge Elizabeth Laporte, and the Court now makes clear that this
18 referral includes the setting of discovery motion filing deadlines, should Judge Laporte
19 choose to impose any, as well as the scope of discovery at this stage of the proceedings.
20 Pursuant to the parties' request, IT IS HEREBY ORDERED that they shall meet and confer
21 and file a further joint status statement on or before **July 27, 2009**.

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23 **IT IS SO ORDERED.**

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25 Dated: 06/10/09


26 THELTON E. HENDERSON, JUDGE
27 UNITED STATES DISTRICT COURT
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